

SCHMIDT ET AL. -- 09/806,564
Client/Matter: 068800-0279469

II. REMARKS

Preliminary Remarks

Claims 1-13 and 18-24 are pending in this application. Claims 1-8, 12, 13, 19, 21, and 23 are allowed; claims 9, 18, 20, 22, and 24 are rejected; and claims 10 and 11 are objected to as dependent on rejected claims. Claims 3-8, 19, and 21, previously withdrawn claims, have been rejoined in the application.

Applicants have provided an abstract of the disclosure, as requested by the Examiner.

Request for Acknowledgement of Priority

This application is the national stage of PCT/GB99/03258, filed October 1, 1999, which claims priority to GB 9821393.7, filed October 1, 1998. The specific reference required by 37 C.F.R. § 1.78 was inserted as the first sentence of the application by the instructions in #11 of the transmittal letter filed with the application on March 30, 2001. However, none of the official actions from the examiner have acknowledged the claim to priority, or have given any indication as to whether the certified copies have been properly transmitted from the international bureau. Accordingly, the applicants respectfully request an acknowledgement of priority in the next official action, along with an indication that the certified copies have been received from the international bureau. (The applicants note that the Notification of Acceptance mailed August 2, 2001 indicates that the priority document was received.)

This request was made in the response submitted on December 22, 2003, but the Examiner has still yet to acknowledge priority, so the request is being made again.

Patentability Remarks

Claims 9, 18, 20, 22 and 24 are rejected under 35 U.S.C. §112 second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner has rejected claim 9 and because the use of the term "DITC," claim 18 because of the use of the term "BNPS," and claims 20, 22, and 24 as not identifying a comparison database.

For each of these claims, Applicants have amended the claims as suggested by the Examiner.

SCHMIDT ET AL. -- 09/806,564
Client/Matter: 068800-0279469

III. CONCLUSION

In view of the foregoing, the applicants respectfully submit that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If any questions remain, the examiner is encouraged to contact the undersigned.

Respectfully submitted,
PILLSBURY WINTHROP LLP



Thomas A. Cawley, Jr., Ph.D.
Reg. No. 40,944
Tel. No. (703) 905-2144
Fax No. (703) 905-2500

June 30, 2004

P.O. Box 10500
McLean, VA 22102
(703) 905-2000

TAC/JNT/wks